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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
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11 Plaintiff(s), No. C \_\_-\_\_\_\_ WDB  
12 v. CASE MANAGEMENT  
13 AND PRETRIAL ORDER  
14 Defendant(s). (Court trial)  
15 \_\_\_\_\_/

16 Pursuant to Fed. R. Civ. P. 16 and Civ. L. R. 16-15(c), the following case management  
17 and pretrial order is entered:

18 1. TRIAL DATE

19 a. Court trial shall begin on \_\_\_\_\_ at 10:00 a.m. in Courtroom 4, Third  
20 Floor, 1301 Clay Street, Oakland, California.

21 b. The length of the trial will be not more than \_\_\_\_\_ days.

22 2. DISCOVERY

23 a. Experts shall be disclosed by \_\_\_\_\_ (plaintiff); \_\_\_\_\_  
24 (defendant).

25 b. All discovery from experts shall be completed by \_\_\_\_\_ (plaintiff);  
26 \_\_\_\_\_ (defendant).

27 c. All non-expert discovery shall be completed by \_\_\_\_\_.  
28

1 d. Counsel shall contact the undersigned Magistrate Judge jointly by telephone  
2 before filing any discovery motions.

3 3. MOTIONS

4 All dispositive motions shall be served and filed not less than **thirty-five (35)** days prior  
5 to the scheduled hearing date of \_\_\_\_\_. Any opposition shall be served and filed no  
6 later than **twenty-one (21)** days prior to the hearing date. Any reply to the opposition shall be  
7 served and filed no later than **fourteen (14)** days prior to the date of the hearing.

8 4. SETTLEMENT CONFERENCE

9 A settlement conference shall be scheduled before another Magistrate Judge of this court.  
10 Counsel will be contacted by that judge's chambers with a date and time for the conference  
11 during \_\_\_\_\_, or as soon thereafter as is convenient to the judge's calendar.

12 5. PRETRIAL CONFERENCE

13 a. A final pretrial conference shall be held on \_\_\_\_\_ at  
14 \_\_\_\_\_ in Courtroom 4, 3rd Floor. The conference shall be attended by lead trial  
15 counsel for each party. The conference may be held telephonically if the parties desire. The  
16 parties must notify the court by 4:00 p.m. the day before that the conference will be held  
17 telephonically. Plaintiff shall initiate the conference call and then call chambers at (510) 637-  
18 3326.

19 b. **Not less than thirty (30) days** prior to the date of the pretrial conference,  
20 all counsel and/or parties shall meet and fulfill the requirements of Civil Local Rule 16-15(a).

21 c. **Not less than twenty (20) days** prior to the pretrial conference, counsel  
22 and/or parties shall:

- 23 (i) serve and file pretrial statements pursuant to Local Rule 16-15(b);  
24 (ii) serve and file trial briefs, motions in limine, statements designating  
25 excerpts from discovery that will be offered at trial (specifying the witness  
26 and page and line references), and proposed findings of fact and  
27 conclusions of law;  
28

- 1 (iii) serve and file a numerical list of each party's exhibits, including a brief  
2 statement describing the substance of each exhibit;  
3 (iv) serve and file an exhibit setting forth the qualifications and experience of  
4 each expert witness;  
5 (v) exchange all exhibits, which shall be premarked and tabbed, plaintiff using  
6 a "P" suffix and defendant a "D" suffix on all exhibit numbers; and  
7 (vi) deliver three sets of all premarked exhibits to chambers (exhibits are not  
8 to be filed).

9 No party shall be permitted to call any witness or offer any exhibit in its case in chief that  
10 is not disclosed in its pretrial statement without leave of court and for good cause shown.

11 d. **Not less than ten (10) days** prior to the pretrial conference, counsel and/or  
12 parties shall serve and file: 1) any objections to witnesses or exhibits, 2) any objections to the  
13 qualifications of expert witnesses, and 3) any oppositions to motions in limine.

14 e. All motions in limine and objections shall be heard at the pretrial  
15 conference.

16 6. All documents filed with the Clerk of the Court shall list the civil case number  
17 followed only by the initials "**WDB**." One copy must be clearly marked as a chambers copy.

18 IT IS SO ORDERED.

19  
20 Dated: October 23, 1998

21 \_\_\_\_\_  
WAYNE D. BRAZIL  
United States Magistrate Judge

22 Copies mailed to:  
23 All parties  
WDB, Stats  
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